

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Bright, et al.

Application No. 10/722,729

Filed: November 25, 2003

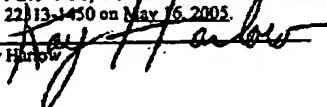
For: APPARATUS FOR CONTROLLING WAFER  
TEMPERATURE IN CHEMICAL MECHANICAL  
POLISHING

Attorney Docket No. LAM2P318C

Examiner: Nguyen, G. B. M.

Art Unit: 3723

1814  
170CERTIFICATE OF TELEFAXING

I hereby certify that this correspondence is being sent by telefax to Examiner  
 Nguyen, GAU 3723, to 571-273-4491; c/o Commissioner for Patents, P. O.  
 Box 1450, Alexandria, VA 22313-1450 on May 16, 2005.  
 Signed:   
 Kay Harlow

Mail Stop: Amendment  
 Commissioner for Patents  
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TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321  
TO OBVIATE AN OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Honorable Commissioner for Patents,  
 P. O. Box 1450,  
 Alexandria, VA 22313-1450

Sir:

The owner, Lam Research Corporation, of the entire interest in the above-identified application (hereafter the "Application"), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the Application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 6,736,720 B2, granted May 18, 2004, (hereafter the "Prior Patent"), as presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the Application shall be enforceable only for and during such period that it and the Prior Patent are commonly owned. This agreement runs with any patent granted on the Application and is binding upon the grantee, its successors or assigns.

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TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321  
TO OBVIATE AN OBVIOUSNESS-TYPE  
DOUBLE PATENTING REJECTION  
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the Prior Patent, as presently shortened by any terminal disclaimer, in the event that the Prior Patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an agent or attorney of record.

To cover the disclaimer fee and any other fee payable with respect to filing this Terminal Disclaimer, please charge such fees to Deposit Account No. 50-0805 (Order No. LAM2P318C). A duplicate fee authorization is set forth in the transmitted Transmittal for Deposit Account authorization purposes.

Respectfully submitted,  
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